

Atty. Docket No. CA1073
PATENT APPLICATION

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. Application No. 09/870,581

REMARKS

Applicant thanks the Examiner for acknowledging his claim to priority under 35 U.S.C. § 119(e).

In the foregoing amendments, Applicant amends pending claims 1 and 2, cancels claims 3-6, adds new dependent claims 7-20, and new independent claims 21 and 22 to claim the disclosed invention more completely. Neither the amended claims, nor any of the added claims, contains any new matter. The claims are supported fully by the detailed description, with reference, *inter alia*, to Figures 1, 5, 7, and 8.

The amended claims are broader than they were previously, for several reasons. First, in claims 1 and 2, remote program code need only be installed at at least one remote terminal, not at a plurality of remote terminals as before. Second, in those claims, activity for augmenting the central database of data records comes only from activity at that at least one remote terminal, not from activity at all of the plurality of remote terminals.

In the pending Office Action, the Examiner had rejected claims 1-6 under 35 U.S.C. §102(e) as anticipated by USP 6,345,293 (Chaddha). While Applicant disagrees with the Examiner's continued application of Chaddha, Applicant believes that the amended claims distinguish even more clearly over Chaddha, at least because the Examiner can no longer rely solely on Chaddha's obscure reference to user profiles as corresponding to the monitored data. In the claims, monitored data comes from user and builds an augmented central database which is used to tailor search responses for at least one user. Nothing in Chaddha teaches or even remotely suggests such concepts or features, and accordingly Applicants submit that claims 1-6, and claims 7-20 which depend, directly or indirectly, from claims 1 and 2, are patentable.

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New claims 7-12 depend, directly or indirectly, from claim 1, and new claims 13-18, corresponding respectively to claims 7-12, depend, directly or indirectly, from claim 2. Claims 7-9 and 13-15 recite implicit and explicit data, neither of these concepts being taught or suggested in the prior art of record. Claims 10 and 16 correspond roughly to claims 21 and 22, which are explained below. Claims 11 and 17 recite user profiles in a very different way from Chaddha. Claims 12 and 18 introduce the concept of providing user identity information to enable a user to communicate with someone else to obtain further information. All of these concepts are novel, and remote from the prior art. Applicant submits that these dependent claims are patentable for these additional reasons as well.

Claims 21 and 22 correspond to claims 1 and 2, but refer to monitoring user activity of a plurality of users to progressively tailor search results for at least one user. These claims are patentable by virtue of this additional recitation, as well as for the reasons that claims 1 and 2 are patentable, because activity at a plurality of remote terminals provides monitored data that enables tailoring of information retrieval results for at least one user. Such features are even more remote from Chaddha than are the features which claims 1 and 2 recite.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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MOUNTAIN VIEW OFFICE


23493

CUSTOMER NUMBER

Date: December 13, 2004

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this Amendment Under 37 C.F.R. § 1.114(c) is being facsimile transmitted to the U.S. Patent and Trademark Office this 13th day of December, 2004.


Thea K. Wagner